UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,563	03/25/2004	Donald J. Yantzi	CA920030040US1	7948

7590   09/12/2007

Marilyn Smith Dawkins
International Business Machines
Intellectual Property Law
11400 Burnet Road
Austin, TX 78758

EXAMINER
POLTORAK, PIOTR

ART UNIT	PAPER NUMBER
2134	

MAIL DATE	DELIVERY MODE
09/12/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

		Application No.	Applicant(s)
Office Action Summary		10/809,563	YANTZI, DONALD J.
		Examiner	Art Unit	
		Peter Poltorak	2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>25 March 2004</u>.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-25</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) _____ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>25 March 2004</u> is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>3/25/04</u>.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1. Claims 1-25 have been examined.

Priority

2. Acknowledgment is made of applicant's claim for foreign priority based on an application 2434276, filed in Canada on 7/3/03.

Drawings

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, "configuring said each resource to query said password registry to determine the existence of an associate encrypted password" must be shown or the feature(s) canceled from the claims 6 and 20. (In fact, the specification suggest that front end processes, and not "each resource", that "query said password registry to determine the existence of an associated encrypted password".) Similarly, "an output for transmitting said unencrypted user-specified password to a process associated with said one of said resources for encryption at said process" and "an input for receiving said encrypted password from said process" is not disclosed in any figure.

No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended."

If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

4. "Said each resource" in claim 1 lacks antecedent basis.

5. Also, it appears that "in the absence of <u>an</u> associated encrypted password" (claims 6 and 20) should read "in the absence of <u>said</u> associated encrypted password" Appropriate correction is required.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

The claimed invention as recited in claims 15-25 are directed to non-statutory subject matter. The claim limitations are directed towards software related entities (e.g. registry, processes etc.) and software must at least be implemented on the computer readable medium in order to meet the statutory requirements.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that applicant regards as the invention.

7. In claims 11 and 24, the term "password" lacks antecedent basis.

8. The term: a "user-specified password", used in claims 1-25, is ambiguous. It is not clear whether applicant attempts to limit the subject matter to passwords selected by users or to passwords issued to specific users. Although the specification does not provide a clear definition, it appears that the term is directed towards passwords selected by users, and for purposes of further examination the phrase is treated as such. However, applicant should amend the claim language in order to clearly articulate metes and bounds of the claim limitation.

9. It is also not clear, whether (e.g. claim 1) it is an unencrypted user-specified password or a process that is associated with said each resource.

10. The phrase: "user-specified password is unknown to said password registry" is not understood. Registry is not a person and it is not clear how it "can know" or "not know" the user-specified password. For purpose of the further examination the phrase is treated as meaning that the registry does not store an unencrypted form of the password.

11. Claims 22-25 include means plus function but the specification does not clearly disclose what constitutes of the means. In the response applicant should clearly identify each means disclosed in claims or amend the claim language. Appropriate correction is required.

Claim Rejections - 35 USC § 102

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

1. Claims 1-3, 8-10 and 22-25 are rejected under 35 U.S.C. 102(a) as anticipated by Kao (USPUB 2002/0122553).

   Kao discloses managing a user's password for a plurality of resource using a password registry associated with the user (See Fig 3B, for example).

2. As per claims 1, 8, Kao discloses encrypting an unencrypted user-specified password at a process associated with the each resource, and storing the encrypted password in the unencrypted user-specified password unknown to the password registry [0041-0044, 0047, 0049 etc.].

3. As per claims 2-3, Kao discloses associating with each encrypted password at least one piece of identifying information including at least one of a user, a resource

hostname, and a resource type stored with the encrypted password (Fig. 4, and

[0043], for example).

4. As per claim 9, server 210 (e.g. Fig. 2A), which Kao discloses to be utilized by an

administrator and running a UNIX or Windows NT [0007], reads on a workstation.

5. Fig. 2A discloses the limitation of claim 12.

6. Claims 11, 22-25 are substantially similar to claims 1-3 and 8. Thus, claims 11, 22-

25 are similarly rejected.

Claim Rejections - 35 USC § 102 or 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 4-5, 11-19 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the

alternative, under 35 U.S.C. 103(a) as obvious over Kao (USPUB 2002/0122553).

8. As per claims 13 it is clear that Kao's invention use software (e.g. Windows NT

[0042]) to offer discussed functionalities and software programs implemented in a

computer readable medium (e.g. a computer hard drive), in particular the object

oriented Windows) use set of process code modules to accomplish desired tasks.

Furthermore, even if Kao's invention would not disclose implementing the discussed

tasks using code. One would have been motivated to use the computer code

especially in light of the benefits of computer code use as evidenced by the

commercial success.

9. As per claims 15-17, in the broadest reasonable interpretation, the registry could be

considered to be a computer code (set of process modules run on the workstation

implementing Windows NT, for example), and an ordinary artisan would readily

recognize that in order for the process module (code) to perform a particular function

on data that includes a variable (e.g. password), the particular variable must be

passed to the process. It is clear that a process receiving an input data in Kao's

invention, would have to passed the data for manipulation (e.g. when password is

checked for validity), and outputs data (e.g. the password is determined to be

valid/found not valid/not found). These processes handling the receipt or output of

data read on input/output. Thus, implementing the steps of the discussed above

method (e.g. in reference to claim 1) using a program code process modules reads

on limitations of claim 15.

(The examiner includes Savitch reference to illustrate the fundamentals of

parameters input and output.)

10. As per claims 4, 18, Kao discloses retrieving a user-specified password from a

registry. Although retrieving a variable from a registry (database) inherently utilize a

query key (see Fig.4 and associated text), Kao is silent regarding at least one of

said user ID, and resource hostname, and said resource type as a query key to

uniquely identify. However, the limitation, if not inherent is at least obvious. An

ordinary artisan would readily recognize that in order to query a database (registry),

a unique query key must be used. The ordinary artisan would recognize that, as shown in Fig. 2, at the user ID (User A, for example), uniquely identifies a particular password and a corresponding resource.

11. As per claim 5, Kao discloses decrypting the retrieved encrypted password (e.g. Fig. 5).

12. The limitation of claim 11, Kao discloses the workstation utilizing Windows NT's ACL [0042]. Furthermore, even if, somehow the Windows NT was re-configured without a password control, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to enforce the password control in order to ensure increased security of the system.

Claim Rejections - 35 USC § 103

13. Claims 6-7 and 20-21 are rejected under 35 U.S.C. 103(a) as obvious over Kao (USPUB 2002/0122553) in view of Mitchell (USPUB 20020120867).

Kao discloses a system comprising password restricted resources [0032] and querying said password registry as discussed above.

14. Kao does not disclose configuring the resources to query said password registry, and, in the absence of an associated encrypted password, querying the user for a password and at least one piece of identifying information.

Mitchell discloses disclose configuring resources to query said password registry, and in the absence of an associated encrypted password, querying the user for a password and at least one piece of identifying information [0006-0008].

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to configure resources to query password registry, and in the absence of an associated encrypted password, querying the user for a password and at least one piece of identifying information. One of ordinary skill in the art would have been motivated to perform such a modification in order to alleviate resources from creating and maintaining its own registry.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Blakley III (USPN 7039714),

Shimada (USPN 5922073).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Poltorak whose telephone number is (571) 272-3840. The examiner can normally be reached Monday through Thursday from 9:00 a.m. to 4:00 p.m. and alternate Fridays from 9:00 a.m. to 3:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on (571) 272-3811. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.
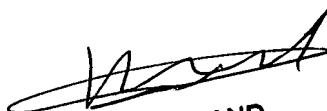
Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

KAMBIZ ZAND
SUPERVISORY PATENT EXAMINER